

On March 16, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9235. Misbranding of Egyptian Regulator Tea. U. S. * * * v. 11 Small, 19 Medium, and 8 Large Packages of Egyptian Regulator Tea. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14465. I. S. No. 14933-t. S. No. C-2803.)

On February 16, 1921, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 small, 19 medium, and 8 large packages of Egyptian Regulator Tea, remaining unsold in the original packages at Lincoln, Nebr., alleging that the article had been shipped by the Kells Co., Newburgh, N. Y., in part on or about April 4, 1920, and the remainder on or about May 4, 1920, and transported from the State of New York into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Egyptian Regulator Tea;" (white circular) "Egyptian Regulator Tea. A Speedy and Positive Relief for Dyspepsia, Liver Complaint, Sick Headache. Nervousness * * * Nature's own gift to dyspeptic, debilitated men, to Wornout, Nervous women, to Mothers of Peevish and Sickly Children, to girls just budding into womanhood, to sufferers from defective nutrition and blood diseases, to corpulent people whether male or female, old or young. * * * Rheumatism, Neuralgia, Sick Headache, Pains in all parts of the body, running sores, pimples, boils, carbuncles and skin diseases * * * Lung trouble and consumption, Premature Old Age, Lack of Youthful energy, beauty and vigor, sallow complexion and haggard, careworn look * * * Diabetes * * * Malaria * * * Killing the disease Germs * * * Heart Troubles, Paralysis, Rheumatism, Gout, * * * Apoplexy;" (blue wrapper) "Egyptian Regulator Tea A remedy for * * * Dyspepsia, Sick Headache and all disorders of the stomach, its daily use will purify the blood, remove all blotches from the face and restore the complexion. Ladies will find this a valuable remedy for all female complaints, also for liver and kidney trouble."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of senna, coriander, dog grass, ginger, taraxacum, sambucus, licorice, and cinnamon.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects, appearing in the labeling, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 29, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9236. Adulteration and misbranding of chocolate liquor. U. S. * * * v. 58 Cases * * * of Chocolate Liquor. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14478. I. S. Nos. 8697-t, 8698-t, 13801-t, 13802-t. S. No. E-3119.)

On February 21, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme

Court of said District, holding a District Court, a libel for the seizure and condemnation of 58 cases of chocolate liquor, at Washington, D. C., alleging that the article had been shipped by the Beacon Chocolate Co., Philadelphia, Pa., on or about December 4, 1920, and transported from the State of Pennsylvania into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part, (case) "Lehigh Liq. * * * From: Beacon. Choc. Co. American. & Ionic. Sts. Philadelphia, Pa." The remainder of the article was labeled in part, "Lehigh. Liq. Brand Pure Chocolate * * * Frontier Chocolate Co. Manufacturers of High Grade Chocolate and Cocoa Powder North Tonawanda, N. Y."

Adulteration of the article was alleged in the libel for the reason that substances, to wit, cocoa shells, sand, and grit, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure chocolate liquor, which the article purported to be. Adulteration was alleged for the further reason that said substances had been mixed with the article in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the statements on the labels, to wit, "Lehigh Liq. From Beacon Chocolate Co." and "Lehigh. Liq. Brand Pure Chocolate * * * Frontier Chocolate Co. Manufacturers of High Grade Chocolate and Cocoa Powder," regarding the ingredients and substances contained in the article, were false and misleading and were designed so as to deceive and mislead the purchaser into the belief that the article was pure chocolate liquor, whereas, in truth and in fact, said article was not pure chocolate liquor, but was a product composed in part of cocoa shells, sand, and grit. Misbranding was alleged for the further reason that the article was a product composed in part of cocoa shells, sand, and grit, prepared in imitation of pure chocolate liquor, and was offered for sale under the distinctive name of another article, to wit, pure chocolate liquor.

On March 30, 1921, the Beacon Chocolate Co., Philadelphia, Pa., claimant, having consented to a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

9237. Misbranding of Donaldson's Wonderful New Life Remedy. U. S. * * * v. 110 Bottles and 497 Bottles of * * * Donaldson's Wonderful New Life Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14487, 14574. I. S. Nos. 6343-t, 8205-t. S. Nos. E-3143, E-3139.)

On February 21 and March 3, 1921, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 110 bottles and 497 bottles of Donaldson's Wonderful New Life Remedy, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the T. B. Donaldson Medicine Co., Philadelphia, Pa., on or about December 24, 1920, and February 17, 1921, respectively, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) " * * * Wonderful New Life Remedy * * * For All Blood Diseases Stomach And Liver Difficulties Such as Dyspepsia, Biliousness, Scrofula, Ery-